IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 3793 of 2004

Between:

1 Datla Satyanarayana Raju, S/o Surapa Raju,
R/o Poduru Village and Mandal, West Godavari District.
2 Kandula Narasimha Rao, S/o Tataiah,
R/o Palakole, West Godavari District.
3 Munukutla Janakiramaiah, S/o Narayanamurthy,
R/o Pulapalli, West Godavari District.
4 Sagi Kusakumar Raju, S/o Suryanarayana Raju,
R/o Poduru Village and Mandal, West Godavari District
5 Kalidindi Suryanarayana Raju, s/o Perraju,
r/o Chinthaparru, West Godavari District.
6 Tamada Appa Rao, s/o Paidaiah,
r/o Pulapalli, West Godavari District.
7 Kandiboyina Viswanadham, s/o Bhagavannarayana,
r/o Pulapalli, West Godavari District.
8 Kankanala Pallaiah,
r/o Pulapalli, West Godavari District.
9 Mudunuri Narasimha Raju, s/o Rama Raju,
r/o Pedagaruvu, Via Tundurru, West Godavari District.
10 Dharmavarapu Venkateswarlu, s/o Mariah,
r/o Pulapalli, West Godavari District.
11 Pasupuleti Veera Venkata Satyanarayana, s/o China Suryanarayana,
r/o Palalkol, West Godavari District.
12 Tannedi Narasimha Rao, s/o Adinarayana,
r/o Gollavanitippa, West Godavari District.
13 Ruddarraju Venkata Narasimha Raju, s/o Suryanarayana Raju,
r/o Malkipuram, East Godavari District.
14 P.Venkata Papaiah Sastry, s/o Narasimha Murthy,
r/o Palakol, West Godavari District.
15 Penmesta Venkata Krishnamraju, s/o Narasimha Raju,
r/o Chintalaparru, West Godavari District.
16 Kadiyala Subrahmanya Sastry, S/o.Venateswarlu,
R/o. Lakkavaram via Malkipuram, E.G.District.
17 Ch.Mallikarjunudu, S/o.Parvathhalu,

R/o. Dagguluru, W.G.District.
18 Meka Venkateswarlu, S/o. Doraiah,
R/o. S. Chikkala, W.G.District.
19 Penmesta Sitarama Raju, S/o. Appala Narasimha Raju,
R/o. Chinnataparru, W.G.District.
20 Donga Venkateswara, S/o. Bangaraiah,
R/o. Pulapalli, W.G.District.
21 P. Suryanarayana Raju,S/o. Gopalakrishnam Raju,
R/o.Jinnuru, W.G.District.
22 U. Bangar Raju, S/o. Subba Raju
R/o.Jinnuru, W.G.District.
23 Nadikudi China Narasimha Murthy, S/o.Ramanna,
R/o.Jinnuru, W.G.District.
24 Nalli Venkataratnam, S/o. Anjaiah,
R/o.Jinnuru, W.G.District.
25 Kadali Ramagopal S/o Krishna Murthy
R/o Pulapalli, West Godavari District
26 Kalidindi Varahala Raju S/o Narasimha Raju
R/o Srungavruksham, West Godavari District
27 Gummapu Agarsteswara Rao S/o Seshaiah
R/o Pulapalli, West Godavari District
28 S.M. Hussaian S/o Ibrahim
R/o Palkol, West godavari District
29 Alluri Anjaneya Raju S/o Sitarama Raju
R/o Cherukumilli, West Godavari District
30 Kalidindi Satyanarayana Raju S/o Satyanarayana Raju
R/o Cherukumilli, West Godavari District
31 Datla Rukmini W/o late Ranga Raju
R/o Cherukumilli, West Godavari District
32 Matta Radhakrishna S/o Narasimha Murthy
R/o Indirapuram, Bhimavaram, West Godavari District
33 Yadla Krishna Murthy S/o Gogaiah
Vedangipalem, West Godavari District
34 Donga Satyanarayana S/o Venkatapati
R/o Pulapalli, West Godavari District
35 Datla Varahala Raju, S/o. Subba Raju,
Srungavruksham, West Godavari District.
36 Nekkanti Srinivasa Rao, S/o. Venkata Narayana,
R/o. Nadipudi, West Godavari District.
37 Edi Gani Raju, S/o. Venkanna,
R/o. Penumarru, West Godavari District.
b 38 Juttiga Naga Satyanarayana, S/o. Suryanarayana,
R/o. Pulapalli, West Godavari District.
39 Penmesta Narasimha Raju, Ramabhadri Raju,
R/o. Tadepalligudem. West Godavari District.
40 Kotikukkala Venkata Lakshmi, W/o. Late Satyam,
R/o. Tadepalligudem, East Godavari District.
41 Nimmala Srirama Murthy, S/o. Latchaiah,
R/o. Srungavruksham, West Godavari District.

..... PETITIONER(S)

AND

1 Govt. of A.P. rep by its Principal Secretary Public Enterprises Department 'B' Block, 3rd Floor, Secretariat, Hyderabad.
2 Director of Sugar and Cane Commissioner, Govt. of A.P. Basheerbagh, Hyderabad.
3 Sri A.S.M. Cooperative Sugars Ltd. Pulapalli, Palakol Mandal, West Godavari District. rep by its Managing Director/Revenue Divional Officer, Narsapur, West Godavari District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ, Order or direction declaring the action of the Respondents in not releasing and paying to the Petitioners the full salaries for the period from 07-09-1993 to 27-12-2001 as per the revised scales of pay, applicable upto 27-12-2001 and the difference of retiral benefits amounts by refixing the retiral benefits basing on the revised scales of pay applicable as on 27-12-2001 as illegal, arbitrary, etc.

Counsel for the Petitioner:MR.V.V.L.N.SARMA

Counsel for the Respondent No.: ADVOCATE GENERAL

The Court made the following order :

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ORDER:

Heard both the counsel for respective parties.

Though the petitioners sought for direction to direct the respondents to release and pay full salaries to them for the period of 7-9-1993 to 27-12-2001 as per the revised scales of pay applicable upto 27-12-2001 and the difference of retrial benefits by refixing the same payable to them but the petitioners restrict the relief to the extent that the respondents may be directed to consider the representation submitted by them to the respondents on 29-10-2003.

The first petitioner has filed representation dated 29-10-2003 before the respondents and if the said representation is received by the respondents and if it is pending without disposal, the respondents are directed to consider and dispose of the said representation dated 29-10-2003 in accordance with law within eight (8) weeks from the date of receipt of this order.

However, the petitioners may also enclose the said copy of the representation alogwith this order before the respondents so as to enable them to pass appropriate orders.

Accordingly, the W.P. is disposed of. No order as to costs

“True copy” V.Eswariah,J

Stp/ys

Sd/-

Asst. Registrar

To:

1 The Principal Secretary,. Public Enterprises Department,
Department 'B' Block, 3rd Floor, Secretariat, Hyderabad.
2 Director of Sugar and Cane Commissioner, Govt. of A.P. Basheerbagh, Hyderabad.
3 The Managing Director/Revenue Director/Revenue Divisional Officer, Sri A.S.M.

Cooperative Sugars Ltd. Pulapalli, Palakol Mandal, West Godavari District.
Narsapur, West Godavari District.

4.2CCs to Advocate General, High Court of A.P.Hyderabad (o.u.t)

5..2CD copies

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THE HON'BLE MR JUSTICE V.ESWARAIAH

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WRIT PETITION NO : 3793 of 2004

22nd July,2004.